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Randall W. Sencaj

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DELPHI TECHNOLOGIES, INC.
M/C 480-410-202
PO BOX 5052
TROY, MI 48007

EXAMINER

TO, TUAN C

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 10/732,971
Filing Date: December 11, 2003
Appellant(s): SENCAJ ET AL.

MAY 31 2007

GROUP 3600

Douglas D. Fekete
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on January 22, 2007 appealing from the Office action mailed on February 21, 2006.

(1) Real Party In Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any other related appeals, interference, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Boards' decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Ground of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be viewed on appeal is correct.

(7) Evidence Relied Upon by the examiner as to the ground of rejection:

US 6397145B1 Millington

(8) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

With regard to claims 14 and 21, Millington has been cited as teaching a navigation system/method for guiding a driver from one position to a destination with

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complex maneuver instruction comprising: a display screen (figure 2, display 50); a GPS receiver configured to determine a position of the vehicle (figure 1, column 3, lines 47-49, GPS receiver 38); a data retrieval device configured to retrieve navigation data from a data storage medium, the navigation data representing a sequence of route segments (figure 2, OIM 22 is the claimed device which is configured to retrieve data from the data storage medium 34); a processor-based subsystem (figure 1, 32) operatively coupled to the GPS receiver (figure 1, GPS receiver 38), the data retrieval device (figure 1, OIM 22), and the display device (figure 2, display 24), said processor-based subsystem comprising a graphic user interface (GUI) for outputting a GUI screen to said display screen, said output corresponding to a GUI screen (figure 4 and 5), said processor (32) is configured to determine a position of the vehicle (figure 1, column 3, lines 66-67, column 4, lines 1 and 2, CPU 32 determines position of the vehicle 21), identify a route segment on which the vehicle is located a function of the position of the vehicle (figure 2, identified route segment 61 on which vehicle 52 is located), render a first GUI screen comprising the identified route segment (figure 4, screen 68 comprises segment A as the identified route segment, and the segment B as well); determines a second GUI screen that comprises a previous route segment or a subsequent route segment that does not include the identified route segment (figure 5, screen 68' comprises previous segment B, a subsequent route segment not include the identified route segment A), receive a user input via an input device (column 2, lines 3-5, user select a destination from a database using the input device), render the second GUI

screen in response to the user input (figure 5, screen 68' is rendered in response to the user's input destination).

The second GUI screen (68') shown in figure 5 comprises a previous segment B, and a subsequent route segment that does not include the location of the vehicle.

With regard to claim 15, Millington teaches that the user is provided a turn-by-turn instructions and the display of a different one of the route segments (Millington, column 4, lines 12-65).

With regard to claim 16, the graphic display as represented by Millington comprises a display area having a top edge and the vehicle icon (52) (Millington, figure 2, display 24, vehicle icon 52) rendered within the display (24).

With regard to claim 17, the graphic display as disclosed by Millington shows that the vehicle icon (52) is at center of the display area (the graphic display as represented by Millington).

With regard to claim 18, Millington teaches the following: "the map display view 50 can also display a movable vehicle icon 52 relative to a constant heading display 24 (such as North up), based upon user preference" (Millington, column 4, lines 12-25).

With regard to claim 19, Millington discloses that the user can uses the input device (28) for entering a specific destination relative to the database (36) of roads, and the navigation system (20) then displays a recommended route as well as turn-by-turn instructions to the user.

With regard to claim 20, Millington discloses that the user can uses the input device (28) for entering a specific destination relative to the database (36) of roads.

With regard to claim 22, Millington teaches that the user is provided a turn-by-turn instructions and the display of a different one of the route segments (Millington, column 4, lines 12-65).

With regard to claim 23, the graphic display as represented by Millington comprises a display area having a top edge and the vehicle icon (52) (Millington, figure 2, display 24, vehicle icon 52) rendered within the display (24).

With regard to claim 24, the graphic display as disclosed by Millington shows that the vehicle icon (52) is at center of the display area (the graphic display as represented by Millington).

With regard to claim 25, Millington teaches the following: "the map display view 50 can also display a movable vehicle icon 52 relative to a constant heading display 24 (such as North up), based upon user preference" (Millington, column 4, lines 12-25).

With regard to claim 26, Millington discloses that the user can uses the input device (28) for entering a specific destination relative to the database (36) of roads.

With regard to claim 26, Millington further teaches: "the input device comprises at least one of keypad, a knob, and an audio input device" (see Millington, figure 2 shows at least on input device).

(10) Related Proceedings Appendix

The related proceedings appendix is missing from the brief. It is assumed that the appellant's meant to include the appendix with a statement of "None."

(11) Response to Argument

The appellant argues, at page 7, by asserting that “Millington does not anticipate, or even suggest, Applicant's invention”, and further discussed that in Millington is not configured to receive user input and render a second GUI screen that does not include the identified route segment on which the vehicle is located. It is not persuasive since as set forth in column 2, lines 3-5, Millington teaches that the user selects a destination from a database using a user input device. The navigation system (20) with the computer module (30) (Millington, figure 1) calculates and displays a recommend route with turn-by-turn instructions on the display (24), guiding the driver of the vehicle (21) to the desired destination. The screen displays 68 and 68 shown in Figures 4 and 5 displaying complex maneuver instructions to the driver. In figure 4, screen 68 comprises the identified route segment A, and the route segment B. In figure 5, the screen 68' is provided to comprise the previous route segment B or a subsequent route segment that does not include the identified route segment A. Millington clearly does anticipate the applicants' invention in claim 14.

The appellant further argues, at page 8, that claim 20 calls for an input device that is a keypad, a knob or an audio input device. According to the appellant, Millington reference does not have a key or knob that the user can operate to override the CPU and change the display. It is noted that claim 20 recites: “the input device comprises at least one of keypad, a knob, and an audio input device. Millington discloses that the user can uses the input device (28) as keypad for entering a specific destination relative

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to the database (36) of roads (see figure 1, keypad 28). Thus, Millington also reads on the limitation of claim 20.

Claim 21, which is similar to claim 14, includes the limitation of processor-based subsystem configured to display a second GUI screen that does not include the location of the vehicle. Millington teaches that the screen 68' comprises route segments B and C, and does not comprises the location of the vehicle. Thus, Millington teaches the limitation of claim 21.

For the above reasons, it is believed that the rejections should be sustained.

Conferees:

Cuong Nguyen *CAN*

Meredith Petravick *MP*

Tuan To *TC*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/tc

May 23, 2007


JACK KEITH
SUPERVISORY PATENT EXAMINER